



Receipt
2
FILE COPY
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)

Wilson et al.)

Application No: 09/490,630)

Filed: January 24, 2000)

For: METHODS FOR IMPLEMENTING AN)
ETHERNET STORAGE PROTOCOL IN)
COMPUTER NETWORKS)

Examiner: Unassigned

Art Unit: 2756

May 3, 2000

TC 2700 MAIL ROOM

MAY 26 2000

RECEIVED

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on May 3, 2000.

Signed: _____

Kay Harlow

PETITION TO THE COMMISSIONER TO CORRECT FILING DATE OF AN APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The above-referenced patent application was filed on January 24, 2000. However, the Application Processing Division has accorded a filing date of January 27, 2000 as evidenced by the enclosed Filing Receipt. Accordingly, the Applicant hereby petitions the Commissioner to correct the filing date for the above-referenced application.

The above-identified application was deposited with the U.S. Postal Service on January 24, 2000 and included an Express Mail Certificate signed by the person who deposited the application. A copy of the transmittal including the Express Mail Certificate is included herewith. The Express Mail Certificate also shows the "date-in" box filled in by the USPS to be January 24, 2000.

Accordingly, the Commissioner is requested to grant this application the correct filing date of January 24, 2000.

Attorney Docket No. ADAPP085B

If any fees are due in connection with the filing of this Petition, including any Petition fees, the Commissioner is hereby authorized to charge such fees to our Deposit Account 50-0805 (Order No. ADAPP085B). However, because this is a USPTO error, no fees should be due for filing this petition.

If the Commissioner has any questions concerning this matter, please contact the undersigned at the number set forth below.

Respectfully submitted,
MARTINE PENILLA & KIM, LLP

A handwritten signature in black ink, appearing to read 'Albert S. Penilla', with a stylized flourish at the end.

Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 170
Sunnyvale, CA 94086
(408) 749-6900

FILING RECEIPT



OC00000005010374

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/490,630 | 01/27/2000 | 2756 | 804 | ADAPP085B | 16 | 22 | 4 |

Albert S Penilla
Martine Penilla & Kim LLP
710 Lakeway Drive
Suite 170
Sunnyvale, CA 94086

RECEIVED
MAY 26 2000
TC 2700 MAIL ROOM
Date Mailed: 03/27/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Andrew W Wilson, Fremont, CA ;
Paul J von Stamwitz, Mountain View, CA ;
Laurence B Boucher, Saratoga, CA ;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/117,226 01/26/1999
WHICH CLAIMS BENEFIT OF 60/163,266 11/03/1999

Foreign Applications

If Required, Foreign Filing License Granted 03/25/2000

Title

Method for implementing an ethernet storage protocol in computer networks

Preliminary Class

709



**POST OFFICE
TO ADDRESSEE**



**EXPRESS
MAIL**

UNITED STATES POSTAL SERVICE™



EL 412810505US

EL 412810505

**SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE**



Customer Copy
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)

| | | |
|--|---|--|
| PO ZIP Code 94178 | Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date in Mo 04 Day 08 Year 2000 | <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 11.75 |
| Time in Mo 04 Day 08 Year 2000 | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. 11 ozs. 00 | Int'l Alpha Country Code | COD Fee Insurance Fee |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials DM | Total Postage & Fees \$ 11.75 |

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

X940315

Federal Agency Acct. No. or
Postal Service Acct. No.

☐ **WAIVER OF SIGNATURE** (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY**

☐ Weekend

☐ Holiday

Customer Signature

FROM: (PLEASE PRINT)

PHONE ()

**MARTINE PENILLA & KIM LLP
710 LAKEWAY DR STE 170
SUNNYVALE CA 94086-4013**

ADAPP085B

TO: (PLEASE PRINT)

PHONE ()

**ASSISTANT COMMISSIONER
FOR PATENTS
BOX PATENT APPLICATIONS
WASHINGTON DC 20231-0001**

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov




**RECEIVED
MAY 26 2000
2700 MAIL ROOM**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on January 24, 2000 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EL412810505US**, addressed to the Assistant Commissioner for Patents, Washington, DC 20231.


Albert S. Penilla

Attorney Docket No: ADAPP085B

First Named Inventor: Andrew W. Wilson

EL412810505US

UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))
(Regular application claiming priority of a provisional)

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

☐ Duplicate for
fee processing

RECEIVED
MAY 26 2000
MAIL ROOM
TC 270

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:
Andrew W. Wilson, Paul J. von Stamwitz, and Laurence B. Boucher

For: **METHODS FOR IMPLEMENTING AN ETHERNET STORAGE PROTOCOL IN COMPUTER NETWORKS**

Priority of U.S. Provisional Application No. 60/117,226 filed on January 26, 1999, and U.S. Provisional Application No. 60/163,266 filed on November 3, 1999 is claimed under 35 U.S.C. § 119(e).

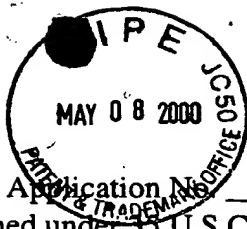
Application Elements:

- ☒ 54 Pages of Specification, Claims and Abstract
- ☒ 16 Sheets of **informal** Drawings
- ☒ Combined Declaration and Power of Attorney
- ☐ Separate Declaration

Accompanying Application Parts:

- ☒ Assignment
- ☐ Separate Power of Attorney by Assignee
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☐ Information Disclosure Statement with Form PTO-1449
- ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard
- ☐ Small Entity Statement(s)
- ☐ Other:

Claim For Foreign Priority



☐ Priority of _____ Application No. _____ filed on _____
is claimed under 35 U.S.C. § 119.

☐ The certified copy is enclosed.

☐ The certified copy will follow.

☐ Amend the specification by inserting before the first line the sentence:

"This application claims the benefit of U.S. Provisional Application No. _____
filed on _____, the disclosure of which is incorporated herein by reference."

RECEIVED
MAY 26 2000
TC 2700 MAIL ROOM

Fee Calculation (37 CFR § 1.16)

| | (Col. 1) NO. FILED | (Col. 2) NO. EXTRA | SMALL ENTITY RATE FEE | OR | LARGE ENTITY RATE FEE |
|---|-----------------------|-----------------------|--------------------------|----|--------------------------|
| BASIC FEE | | | \$380 \$ | OR | \$690 \$690.00 |
| TOTAL CLAIMS | 22 -20 = 2 | | x09 = \$ | OR | x18 = \$36.00 |
| INDEP CLAIMS | 04 -03 = 01 | | x39 = \$ | OR | x78 = \$78.00 |
| [] Multiple Dependent Claim Presented | | | \$130 = \$ | OR | \$260 = \$ |
| * If the difference in Col. 1 is less than zero, enter "0" in Col. 2. | | | Total \$ | OR | Total \$804.00 |

☒ PLEASE DO NOT CHARGE ANY FEES AT THIS TIME.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-0805 (Order No. ADAPP085B).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0805 (Order No. ADAPP085B).

☒ Please send correspondence to the following address:

Albert S. Penilla
MARTINE PENILLA & KIM, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, CA 94086
Tel (408) 749-6900
Fax (408) 749-6901

Date: January 24, 2000

Albert S. Penilla, Esq.
Registration No. 39,487
Page 2 of 2



RECEIVED

MAY 26 2000

TC 2700 MAIL ROOM

Docket No. **ADAPP085B** Appln. No. Date **January 24, 2000**

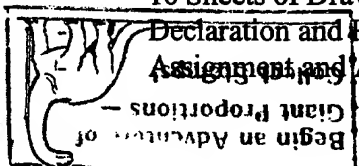
By: **ASP** Filing Date: **January 24, 2000** Express Mail No.: **EL412810505US**

Inventor(s): **Andrew Wilson et al.**

Title: **Methods for Implementing An Ethernet Storage Protocol in Computer Networks**

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- 54 Pages Specification
- 16 Sheets of Drawings
- Declaration and Power of Attorney
- Assignment and Assignment Recordation



jc525 U.S. PTO

09/490630



01/24/00



Bib Data Sheet


**UNITED STATES DEPARTMENT OF
COMMERCE**

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FILE COPY

| | | | | |
|---|---|-----------------------------------|--|---|
| SERIAL NUMBER 09/490,630 | FILING DATE 01/24/2000 RULE - | CLASS 709 | GROUP ART UNIT 2756 | ATTORNEY DOCKET NO. ADAPP085B |
| APPLICANTS Andrew W Wilson, Fremont, CA ; Paul J von Stamwitz, Mountain View, CA ; Laurence B Boucher, Saratoga, CA ; | | | | |
| ** CONTINUING DATA ***** THIS APPLN CLAIMS BENEFIT OF 60/117,226 01/26/1999 WHICH CLAIMS BENEFIT OF 60/163,266 11/03/1999 | | | | |
| ** FOREIGN APPLICATIONS ***** | | | | |
| IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 03/25/2000 | | | | |
| Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged | | STATE OR COUNTRY CA | SHEETS DRAWING 16 | TOTAL CLAIMS 22 |
| Examiner's Signature _____ Initials _____ | | | INDEPENDENT CLAIMS 4 | |
| ADDRESS Albert S Penilla Martine Penilla & Kim LLP 710 Lakeway Drive Suite 170 Sunnyvale ,CA 94086 | | | | |
| TITLE Method for implementing an ethernet storage protocol in computer networks | | | | |
| FILING FEE RECEIVED 804 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | | <input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit | |